

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 522 of 2018

- Zameel Shah S/o Ajmer Shah Aged About 29 Years R/o Ward No. 6 Muslman Mohalla, Takhatpur District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Of Police Station Jarhagaon District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Pallav Mishra, Advocate.
For Respondent/State	:	Mr. Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

11/04/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.142/2016 registered at Police Station– Jarhagaon, District– Mungeli(C.G.) for the offence punishable under Sections 22-B of the Narcotics Drugs and Psychotropic Substance Act.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 30.6.2016. No case is made out against him. All the seizure of drugs have been made from the co-accused persons. The only allegation against the applicant is this, that he was the company of the co-accused persons and on that basis, no case is made out against him. Hence, it is prayed that he may be released on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that application for bail of similarly placed co-accused persons has been rejected by the co-ordinate Bench of this Court on merits, hence, no case is made out for grant of bail.
4. Heard both the parties and perused the case diary.
5. According to the prosecution case, a raid was conducted on 30.6.2016 in which from the possession of this applicant, main accused Pawan Jaiswal and other co-accused persons seizure of huge quantity of prohibited drugs was made. It was revealed in the investigation, that the possession of the prohibited narcotic drugs with main accused and all the co-accused persons along with this applicant was with intention to sale. Hence, this case.
6. Co-ordinate Bench has rejected the bail applications of the co-accused, who are similarly placed as that is this applicant, hence, under these circumstances on the ground of propriety and parity, I am not inclined to grant regular bail to this applicant.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-

(Rajendra Chandra Singh Samant)

Judge